

REMARKS

1. Claims 1-19 are pending in the application. Of these claims, claims 1, 6, 7, 9, 10 and 12-17 stand rejected and claims 2-5, 8 and 11 stand objected to. This communication amends claims 1, 2, 6, 8 and 19. Reconsideration of this application is respectfully requested.

2. It is noted that objected to claims 2-5, 8 and 11 contain allowable subject matter.

3. Claims 1, 6, and 7 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,998,829 to Choi et al. (Choi).

In response, claim 1 has been amended to recite “a substrate having a plurality of active regions *and a source region...the floating gate structure extending across at least three of the active regions of the substrate and parallel with the source region...*” Claim 6 has been amended to recite “providing a substrate having a plurality of active regions *and a source region...the floating gate structure parallel with the source region...*” The claimed structure isolates the program and read channels to prevent electrons from being trapped in the floating gate oxide and disturbing the read action during programming.

Choi does not expressly or inherently describe the subject matter of claims 1 and 6, as presently amended. Instead, Choi is directed to a device having an increased coupling ratio. Specifically, Choi describes a floating gate structure 31 that extends perpendicular to a common source region 32. Moreover, Choi’s floating gate structure extends across only one active region, as shown in FIG. 8, and the floating gate and substrate are isolated from one another by a thick insulating layer 41. Therefore, Choi does not anticipate claims 1 or 6. Claim 7 is not anticipated by Choi for at least the same reasons as set forth with respect to claim 6 from which it depends. In view of the foregoing, withdrawal of this rejection is respectfully requested.

4. Claims 9 and 12-17 stand rejected under 35 USC 103(a) as being unpatentable over Choi in view of U.S. Patent 6,754,103 to Frayer.

Claim 9 depends indirectly from claim 6 and therefore requires a floating gate structure that extends parallel with a source region. Choi in view of Frayer do not teach

or suggest such a structure, but instead teach a floating gate structure that extends perpendicular to a common source region and across only one active region. Therefore, claim 9 is patentable over Choi in view of Frayer.

Claims 12-17 each require "a floating gate structure...associated with a source region..." and "a control gate structure at least partially disposed over the floating gate structure, the control gate structure associated with at least three drain regions of the substrate..." Choi in view of Frayer do not describe, teach or suggest such a structure. Therefore, claims 12-17 are patentable over Choi in view of Frayer. In addition, the Examiner stated in paragraph 5 of the Office Action that this subject matter is allowable. In view of the foregoing, withdrawal of this rejection is respectfully requested.

5. Favorable reconsideration of this application is respectfully requested as it is believed that all outstanding issues have been addressed herein and, further, that claims 1-19 are in condition for allowance, early notification of which is earnestly solicited. Should there be any questions or matters whose resolution may be advanced by a telephone call, the examiner is cordially invited to contact applicants' undersigned attorney at his number listed below.

6. No fees are due with this communication. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17, which are associated with this communication, or credit any overpayment to Deposit Account No. 50-2061.

Respectfully submitted,



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